

AGENDA
ADMINISTRATIVE RULE MEETING
UTAH STATE TAX COMMISSION

September 9, 2008 • 8:00 a.m.
Commission Hearing Room 1025 • 210 North 1950 West
Salt Lake City, Utah

1 Commission Business

1.1 Call to Order

2 Proposed Rules for Adoption by the Commission

There will be public comment and discussion prior to Commission action.

2.1 R861-1A-16 Utah State Tax Commission Management Plan Pursuant to Utah Code Ann. Section 59-1-207.

Proposed amendment updates statutory citations in light of 2008 HB 63; reflects that Technology Management is no longer a division of the commission, and that the executive director shall oversee service agreements from other departments.

2.2 R861-1A-23 Designation of Adjudicative Proceedings Pursuant to Utah Code Ann. Section 63-46b-4.

The proposed amendment updates statutory citations in light of 2008 HB 63; deletes “prehearing” and inserts “status” conference to match recent commission changes to practice.

2.3 R861-1A-26 Procedures for Formal Adjudicative Proceedings Pursuant to Utah Code Ann. Sections 59-1-501 and 63-46b-6 through 63-46b-11.

The proposed amendment updates statutory citations in light of 2008 HB 63; deletes reference to a pre-hearing conference since the commission no longer holds pre-hearing conferences.

2.4 R861-1A-27 Discovery Pursuant to Utah Code Ann. Section 63-46b-7.

The proposed amendment updates statutory citations in light of 2008 HB 63; deletes “prehearing” and adds “status” conference to match recent changes to commission practice.

2.5 R865-6F-8 Allocation and Apportionment of Net Income (Uniform Division of Income for Tax Purposes Act).

The proposed amendment of a model Multistate Tax Commission (MTC) rule updates the definition of business income and unitary business in accordance with changes to the MTC model rule.

3 Other Items / Adjourn

Although the formal public comment period published through the Division of Administrative Rules has concluded for the rules posted on this agenda, the Commission will accept comments on these rules at the meeting and prior to the meeting in writing. Comments can be addressed to Commissioner Dixon and emailed to taxrules@utah.gov, faxed to 801-297-3919, or mailed to The Office of the Commission, Utah State Tax Commission, 210 N. 1950 W., Salt Lake City, Utah 84134. For questions, please call Cheryl Lee at 297-3900. Full text of rules can be found at www.tax.utah.gov. If you would like to receive notice of future rule items, email clee@utah.gov with your name, email address and request to be added to the Tax Commission rules list server.

Tax Commissioners may participate in the meeting via telephonic communications per Rule R861-1A-43 – Electronic Meetings Pursuant to Utah Code Ann. Section 52-4-207. If a Commissioner does participate via telephonic communication, the Commissioner will be on speaker phone. The speaker phone will be amplified so that the other Commissioners and all other persons present in the Commission Chambers will be able to hear all the discussions.

Those who need special accommodations in accordance with the American Disabilities Act may call (801) 297-3811. Please give up to three working days notice to arrange accommodations. Hearing impaired callers may call the Telecommunication Device for the Deaf (TDD) at (801) 297-3819.

A copy of this agenda was posted in the front foyer of the Tax Commission Building, Salt Lake City, Utah and on the Tax Commission Website at www.tax.utah.gov. The Commission public information officer also provided copies of this agenda for the news media via electronic transmission.

Posted: 9/03/2008

Cheryl Lee – Executive Secretary
(801) 297-3900